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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/593,061
Filing Date: February 12, 2007
Appellant(s): OHASHI, HISASHI

Christopher M. Tobin
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 2/11/2011 appealing from the Office action mailed 8/12/2010.

(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 1-14 are rejected and pending.

(4) Status of Amendments After Final

In light of Applicant's amendments, the objections of Claims 2 and 3 are withdrawn.

In light of Applicant's amendments, the rejections of Claims 1 and 6 under 35 U.S.C. §112 are withdrawn.

New added Claims 13 and 14 are entered to be reviewed on appeal since the subject matter recited in Claims 13 and 14 corresponds to the subject matter recited in Claims 1 and 6, respectively, and the new added Claims 13 and 14 do not change the scope of the invention as whole.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

(8) Evidence Relied Upon

2002/0015598	MAEDA	2-2002
2002/0007487	MATSUMOTO	1-2002
2002/0112248	TAKAGI	8-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-7, 9, 10, 13 and 14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Maeda et al. (hereinafter Maeda): U.S. Patent Application Pub. No. 2002/0015598.

Maeda expressly teaches:

Claim 1.

An electronic device having a display panel and a plurality of keys to which desired functions can be assigned, comprising:

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display means for causing display of a plurality of items on the display panel (fig. 1;

[0044][0045]: displaying a plurality items on the screen);

means for receiving a selection of a desired item from the plurality of items, after which

the display means causing display of a setting screen corresponding to the selected

desired item (figs. 2-4 & 18; [0046]-[0055]: selecting a item from the list of items, causing to

display of a setting screen corresponding to the selected item); and

assigning means for assigning of keys using the setting screen, wherein a first of the

plurality of keys is assigned a function for displaying the setting screen (fig. 6; [0064]:

assigning “BASIC 1” key, a first key, to a “MARGIN” function for displaying the setting screen), and

wherein second and third of the plurality of keys are respectively assigned to one of a

paired function (figs. 5-9 & 18; [0056]-[0067]: a second key, “2 IN 1” (BASIC 2) of fig. 9, is

assigned to one of a paired function, such as “LEFT STAPLE”, and a third key, for example

“4 IN 1” (BASIC 3) of fig. 9, is assigned to the other of the paired function, such as “RIGHT STAPLE”).

Claim 2. The electronic device as set forth in claim 1, wherein when said one of a paired

function is assigned, a message prompts a user to assign the other of the paired function

(figs. 7-8; [0066][0067]: prompting a menu/message for inputting name to a user to assign the other function, such as “RIGHT STAPLE”).

Claim 4. The electronic device as set forth in claim 1, wherein a sequence of user performed operations are stored and the stored operations are then assigned to said one of the plurality of keys ([0086]: storing the allocated shortcut keys and the set functions).

Claim 5. The electronic device as set forth in claim 1, wherein functions assigned to two keys of the plurality of keys are swapped (figs. 6-8: swapping two keys for functions by means of utilizing "Shortcut Key Registration").

Claim 6. An electronic device having a display panel and a plurality of keys to which desired functions can be assigned, comprising:
display means for causing display of a plurality of items on the display panel (fig. 1; [0044][0045]: displaying a plurality items on the screen);
means for receiving a selection of a desired item from the plurality of items, after which the display means causes display of a setting screen corresponding to the selected desired item (figs. 2-4 & 18; [0046]-[0055]: selecting a item from the list of items, after causing to display of a setting screen corresponding to the selected item);
assigning means for assigning of keys using the setting screen,
wherein first of the plurality of keys is assigned a function for displaying the setting screen (figs. 6 & 18; [0063]: assigning a first key to a function for displaying the setting screen, such as "shortcut key registration" key for displaying a shortcut selection screen), and
wherein second and third of the plurality of keys are respectively assigned to one of a

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paired function (figs. 5-9 & 18; [0056]-[0067]: a second key, “2 IN 1” (BASIC 2) of fig. 9, is assigned to one of a paired function, such as “LEFT STAPLE”, and a third key, for example “4 IN 1” (BASIC 3) of fig. 9, is assigned to the other of the paired function, such as “RIGHT STAPLE”); *and*

display means for displaying a second setting screen for items that are not included in the plurality of items when the selected desired item is assigned to said one of the plurality of keys (figs. 6-7: displaying a second setting screen for items that are not included in the plurality of items, such as displaying a different setting screen when a key “Basic 2” is selected).

Claims 7, 9 and 10:

The subject matter recited in Claims 7, 9 and 10 corresponds to the subject matter recited in Claims 2, 4 and 5, respectively. Thus Maeda discloses every limitation of Claims 7, 9 and 10, as indicated in the above rejections for Claims 2, 4 and 5.

Claims 13 and 14:

The subject matter recited in Claims 13 and 14 corresponds to the subject matter recited in Claims 1 and 6, respectively. Thus Maeda discloses every limitation of Claims 13 and 14 as indicated in the above rejections for Claims 1 and 6.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda in view of Matsumoto et al. (hereinafter Matsumoto): U.S. Patent Application Pub. No. 2002/0007487.

Claim 3:

As indicated in the above rejection, Maeda discloses every limitation of claim 1.

Maeda fails to disclose:

when one of a paired function is assigned to the second key, the other of the paired function is automatically assigned to the third of the plurality of the keys.

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Matsumoto expressly teaches:

when one of a paired function is assigned to the second key, the other of the paired function is automatically assigned to the third of the plurality of the keys ([0068]: assigning an operation function to a key to be automatically effective without user interaction by means of automatic performance of registration operation).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Maeda, to include:

when one of a paired function is assigned to the second key, the other of the paired function is automatically assigned to the third of the plurality of the keys, for the purpose of providing functions of user's selected subject in a way of automatic operation, as taught in Matsumoto.

Claim 8:

The subject matter recited in Claim 8 corresponds to the subject matter recited in Claim 3. Thus Maeda in view of Matsumoto disclose every limitation of Claim 8, as indicated in the above rejections for Claim 3.

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**Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Matsumoto in view of Takagi et al. (hereinafter Takagi): U.S. Patent Application Pub.
No. 2002/0112248.**

Claim 11:

Matsumoto teaches:

A method of assigning desired functions to a plurality of keys, comprising the steps of:

displaying a plurality of items (figs. 8-14; displaying multiple items on a display);

*receiving a selection of a desired item from the plurality of items ([0014]: selecting a desired
item in menu on the display);*

*receiving a selection of a key to which a function is assigned from the plurality of keys
([0014]: receiving a selection of a function key to be assigned);*

*assigning said function to the selected key ([0014]: assigning a function to the selected
function key).*

Matsumoto fails to disclose:

the function is a paired function.

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Takagi expressly teaches:

the function is a paired function (fig. 3: a paired functions, such as a function of being BEGINNER MODE to be "ON" and another function of being BEGINNER MODE to be "OFF").

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Matsumoto, to include:

the function is a paired function, for the purpose of providing functions of user's selected subject in a way of alternative, as taught in Takagi.

Claim 12:

The subject matter recited in Claim 12 corresponds to the subject matter recited in Claim 11, including assigning the other function of the paired functions to the key. Thus Matsumoto and Takagi disclose every limitation of Claim 12, as indicated in the above rejections for Claim 11.

(10) Response to Argument

Beginning on page 13 of the Appeal Brief (hereinafter the Brief), Appellant argues the following specific issues which are accordingly addressed below.

a. Appellant first contends that Maeda fails to disclose “*assigning means for assigning of keys using the setting screen, wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and wherein second and third of the plurality of keys are respectively assigned to one of a paired function,*” as recited in claim 1 by Appellant (page 15, second paragraph of the Brief).

Examiner respectfully disagrees. Maeda expressly teaches a plurality of function screens including a plurality of function key to each of which a specific function is allocated or assigned (see [0012]). Maeda further teaches that the “MARGIN” function is assigned to the “BASIC 1” key as a first of the plurality of keys as shown the screen 8 in Fig. 6 (see [0064]).

Furthermore, Maeda expressly teaches that "BASIC 2" key and "BASIC 3" key as second and third key, respectively, are assigned to each of a paired function as shown in Figs. 4 and 6-9.

More specifically, Maeda describes that there is a paired functions: One is for a function of "LEFT STAPLE", and the other is for a function of "RIGHT STAPLE" (see screen 62 in Fig. 4).

Now, following is the process of how to assign "BASIC 2" key (second key) to the "LEFT STAPLE" function as described in paragraphs [0066] and [0067].

First, "2 IN 1" button B8 is selected from screen 61 in Fig. 4. Second, "LEFT STAPLE" function is selected from screen 62 in Fig. 4. Third, additional function, such as "DOTTED LINE" is selected from screen 62' in Fig. 4. Then, by pressing "SHORT CUT KEY REGISTRATION", screen 8 in Fig. 6 is displayed.

After that, "BASIC 2" key is selected from screen 8 in Fig. 6 to assign the selected "LEFT STAPLE" function. Then, Fig. 7 is displayed, wherein "INPUT FROM NAME LIST" button is selected, followed by selecting "2 IN 1" button to name the "BASIC 2" key. Then, by pressing "CLOSE" button in Fig. 8, screen 5a in Fig. 9 is displayed. Here, "BASIC 2" key named "2 IN 1" has been assigned to the function of "LEFT STAPLE."

Maeda clearly states the above steps in paragraphs [0066] and [0067] as following:

[0066] The case of allocating a function to the "basic 2" key K2 in the screen 8 of FIG. 6 is now explained. Upon pressing the "basic 2" key K2, the screen switches to the name input screen G1 shown in FIG. 7. Displayed on this name input screen G1 are a

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"input from name list" key S1, "input icon" key S2, "free name input from keyboard" key S3, "input icon, input from name list" key S4, and "input icon, free name input from keyboard" key S5.

[0067] Among the above, when the "input from name list" key S1 is pressed, as it becomes a name selection screen G2 as shown in FIG. 8, the operator selects an appropriate name corresponding to the function to be allocated to the "basic 2" key K2 from the name list of the name list selection screen G2, and, by thereafter pressing the "close" key B12, completes the allocation of consolidation functions with the settings of the "basic 2" key K2 being "2 in 1", "left staple" and "dotted line". Further, as shown in FIG. 9, displayed is a screen 5a which displays the selected name "2 in 1" in which the black and white are inverted on the "basic 2" key K2.

In similar manner, one of ordinary skill in the art would have understood that "BASIC 3" key (third key) can be assigned to the other paired function, such as "RIGHT STAPLE", and named as "4 IN 1." As a result, "BASIC 3" key in Fig. 9 will be named as "4 IN 1", which includes the function of "RIGHT STAPLE" by means of selecting it as a shortcut key.

Accordingly, Maeda clearly discloses *"assigning means for assigning of keys using the setting screen, wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and wherein second and third of the plurality of keys are respectively assigned to one of a paired function."*

- b. Appellant next contends that Maeda fails to disclose *"wherein when said one of a paired function is assigned, a message prompts a user to assign the other of the*

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paired function,” as recited in claim 2 by Appellant (page 17, sixth paragraph of the Brief).

Examiner respectfully disagrees. Even though Maeda does not specifically illustrates for assigning “BASIC 3” key to the other paired function, one having ordinary skill in the art would have understood that Maeda would have implied to teach that after “BASIC 2” button (second key) is assigned to “LEFT STAPLE” (first of the paired function), a menu option or message prompts a user to assign the other of the paired function, which is “RIGHT STAPLE”, as the user names “4 IN 1” key for “BASIC 3” button assigned to “RIGHT STAPLE” as shown in Figs. 7 and 8.

Accordingly, Maeda expressly discloses “*wherein when said one of a paired function is assigned, a message prompts a user to assign the other of the paired function.*”

c. Appellant next contends that Maeda fails to disclose “*display means for displaying a second setting screen for items that are not included in the plurality of items when the selected desired item is assigned to said one of the plurality of keys,*” as recited in claim 6 by Appellant (page 20, last paragraph of the Brief).

Examiner respectfully disagrees. When the selected desired item is assigned

to one of keys, for example, "MARGIN" item is assigned to "BASIC 1" key on screen 8 in Fig. 6 (see paragraph [0064]), the system of Maeda displays a second setting screen for items of "2 IN 1" and "4 IN 1" in Fig. 8 that are not included in the plurality of registered items, such as "MARGIN" K1 or "STAPLE" K7 on screen 8 in Fig. 6, for assigning "BASIC 2" key to a certain function.

Accordingly, Maeda expressly discloses "*display means for displaying a second setting screen for items that are not included in the plurality of items when the selected desired item is assigned to said one of the plurality of keys.*"

d. Appellant next contends that Maeda fails to disclose "*prompting a user to assign the other of the paired function when said one of a paired function is assigned to said one of the plurality of keys,*" as recited in claim 7 by Appellant (page 21, seventh paragraph of the Brief).

Examiner respectfully disagrees. Even though Maeda does not specifically illustrates for assigning "BASIC 3" key to the other paired function, one of ordinary skill in the art would understand that Maeda would imply to teach that after "BASIC 2" button (second key) is assigned to "LEFT STAPLE" (first of the paired function), a menu option or message prompts a user to assign the other of the paired function

,which is "RIGHT STAPLE", as the user names "4 IN 1" key for "BASIC 3" button assigned to "RIGHT STAPLE" as shown in Figs. 7 and 8.

Accordingly, Maeda expressly discloses "*prompting a user to assign the other of the paired function when said one of a paired function is assigned to said one of the plurality of keys.*"

e. Appellant next contends that Matsumoto fails to disclose "*when said one of a paired function is assigned to the second key, the other of the paired function is automatically assigned to the third of the plurality of the keys,*" as recited in claim 3 by Appellant (page 23, fourth paragraph of the Brief).

Examiner respectfully disagrees. Matsumoto teaches three methods of selecting at which the registration with the function key is made effective. The first method of Matsumoto describes that the registration operation for the function key activated even before the end key 717 operation becomes effective. In other words, the registration operation for assigning a particular function to a key is activated automatically without user interaction by means of automatic performance of registration operation. Thus, while the system of Maeda teaches second and third of the plurality of keys are respectively assigned to one of a paired function, Matsumoto

expressly teaches the registration operation for assigning one of a paired function to a key is performed automatically (see paragraph [0068]).

Accordingly, Maeda expressly discloses “*prompting a user to assign the other of the paired function when said one of a paired function is assigned to said one of the plurality of keys.*”

Response to argument for the subject matter recited in Claim 8 by Appellant (page 25, fifth paragraph of the Brief) is to be same as the above response for the subject matter recited in Claim 3.

f. Appellant next contends that Matsumoto in view of Takagi fails to disclose “*assigning said function to the selected key, wherein said function is a paired function,*” as recited in claim 11 by Appellant (page 27, first paragraph of the Brief).

Examiner respectfully disagrees. Matsumoto expressly teaches assigning a function to one of the plurality of function keys according to one item selected by the selection means (see paragraph [0014] of Matsumoto). Furthermore, Takagi expressly teaches that the function is a paired function as shown in Fig. 3, such as a function of “BEGINNER MODE” to be “ON” and the other function of “BIGINNER MODE” to be “OFF”.

Accordingly, Matsumoto in view of Takagi expressly discloses “*assigning said function to the selected key, wherein said function is a paired function.*”

Response to argument for the subject matter recited in Claim 12 by Appellant (page 28, fifth paragraph of the Brief) is to be same as the above response for the subject matter recited in Claim 11.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Daeho D Song/

Examiner, Art Unit 2172

Conferees:

/Boris Pesin/

Supervisory Patent Examiner, Art Unit 2172

/Stephen S. Hong/

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